

Docket No.: 081722-0286

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 83729
	:	
Marc S. Malandro, et al.	:	Confirmation Number: 3389
	:	
Application No.: 10/540,903	:	Group Art Unit: 1637
	:	
Filed: January 20, 2006	:	Examiner: Strzelecka, Teresa E.
	:	
For: NOVEL COMPOSITIONS AND METHODS IN CANCER	:	

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically-transmitted to the
United States Patent and Trademark Office on March 17, 2009.

/Carrie Hines/

Carrie Hines

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

Applicant hereby petitions for revival of this application. Since this application was filed on January 20, 2006, no terminal disclaimer is required under 37 C.F.R. 1.137(d).

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

Applicants are simultaneously filing a response to the Office Action mailed April 9, 2008, a copy of which is provided herewith.

10/540,903

The Examiner is invited to call the undersigned attorney if there are any questions.

Please charge Deposit Account No. 502624 the amount of \$1,620.00, required by 37 C.F.R. § 1.17(m), to the cover the petition fee. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

/David A. Gay/

David A. Gay
Registration No. 39,200

11682 El Camino Real, Suite 400
San Diego, CA 92130-2047
Phone: 858.720.3300 DAG:cjh
Facsimile: 858.720.7800
Date: March 17, 2009

**Please recognize our Customer No. 83729
as our correspondence address.**